



PUBLIC NOTICE

File Number: NRS 14.207

Pursuant to Chapter 0400-4-7 of the Department's rules, the proposed activity described below has been submitted for approval under an Aquatic Resource Alteration Permit and §401 Water Quality Certification. This notice is intended to inform interested parties of this permit application and to ask for comments and information necessary to determine possible impacts to water quality. No decision has been made whether to issue or deny this application.

APPLICANT: Mr. Anthony Myers
Tennessee Department of Transportation
Suite 900, James K. Polk Bldg.
505 Deaderick St.
Nashville, TN 37243
615-253-0021

LOCATION: The proposed alterations are in Sumner County, TN along State Route 109 and the intersection with Kirby Drive.

PROJECT DESCRIPTION: The TN Department of Transportation proposes to construct a new channel to convey flow from stream STR-4 to an unnamed tributary to Summers Branch. This activity will help prevent flooding of a property within the area. Stream 4 currently flows into an existing 18 inch pipe that discharges into stream STR-5 along the back of Tract #1. Included in this project is one stream impact.

IMPACTS:

Unnamed tributary to Summers Branch

Latitude: 36.6033 Longitude: -86.5414

Removal and fill of 505 linear feet of stream located in an 18" pipe.

Relocation of a stream into a 692 linear foot long, 2 foot wide trapezoidal channel with embedded riprap and 2 rows of trees planted on either side. This channel will be monitored for hydrology, channel stability, and vegetation.

DEGRADATION: In accordance with the Tennessee Antidegradation Statement (Rule 0400-40-03-.06), the division has determined that the proposed activities will result in degradation to water quality.

WATERSHED / WATERBODY DESCRIPTION: This activity is located in the Red River Watershed (TN05130206024_0150). The Tennessee portion of the Red River Watershed is located in Middle Tennessee and includes parts of Cheatham, Davidson, Montgomery, Robertson, Sumner and Stewart counties. It is approximately 1,444 square miles (801 square

miles in Tennessee) and drains to the Cumberland River. There are 57 known rare plant and animal species in the Tennessee portion of the Red River Watershed. For more information on this watershed please visit the division's website at <http://www.tn.gov/environment/water/watersheds/red-river.shtml>

Stream Name / ID #: Unnamed Tribs to Summers Branch
(TN05130203024_0150)

Ecoregion: 71e Western Pennyroyal Karst Plain

This is small stream with shallow flow. This stream is characterized by low banks, not more than 2 feet wide, and a few feet deep with sediment/coble substrate.

Designated Use	Use Support	Causes
Fish and aquatic life	Not supporting	E. Coli
Recreation	Not supporting	Nutrients, Siltation, Sedimentation
Industrial water supply	Fully supporting	
Irrigation	Fully supporting	
Livestock watering & wildlife	Fully supporting	

This stream is unavailable for additional impacts to habitat. The applicant will offset the proposed losses with daylighting of stream on site that is currently encapsulated.

Assessment Date: 2012

PERMIT COORDINATOR: Vena Jones

FACTORS CONSIDERED: In deciding whether to issue or deny a permit, the department will consider all comments of record and the requirements of applicable federal and state laws. In making this decision, a determination will be made regarding the lost value of the resource compared to the value of any proposed mitigation. The department shall consider practicable alternatives to the alteration. The department shall also consider loss of waters or habitat, diminishment in biological diversity, cumulative or secondary impacts to the water resource, and adverse impact to unique, high quality, or impaired waters.

COMMENTING: Persons wishing to comment on the proposal are invited to submit written comments to the department. Written comments must be received within **twenty days of the date that this notice is posted**. Comments will become part of the record and will be considered in the final decision. The applicant's name and permit number should be referenced. Send all written comments to the department's address listed below and to the attention of the permit coordinator.

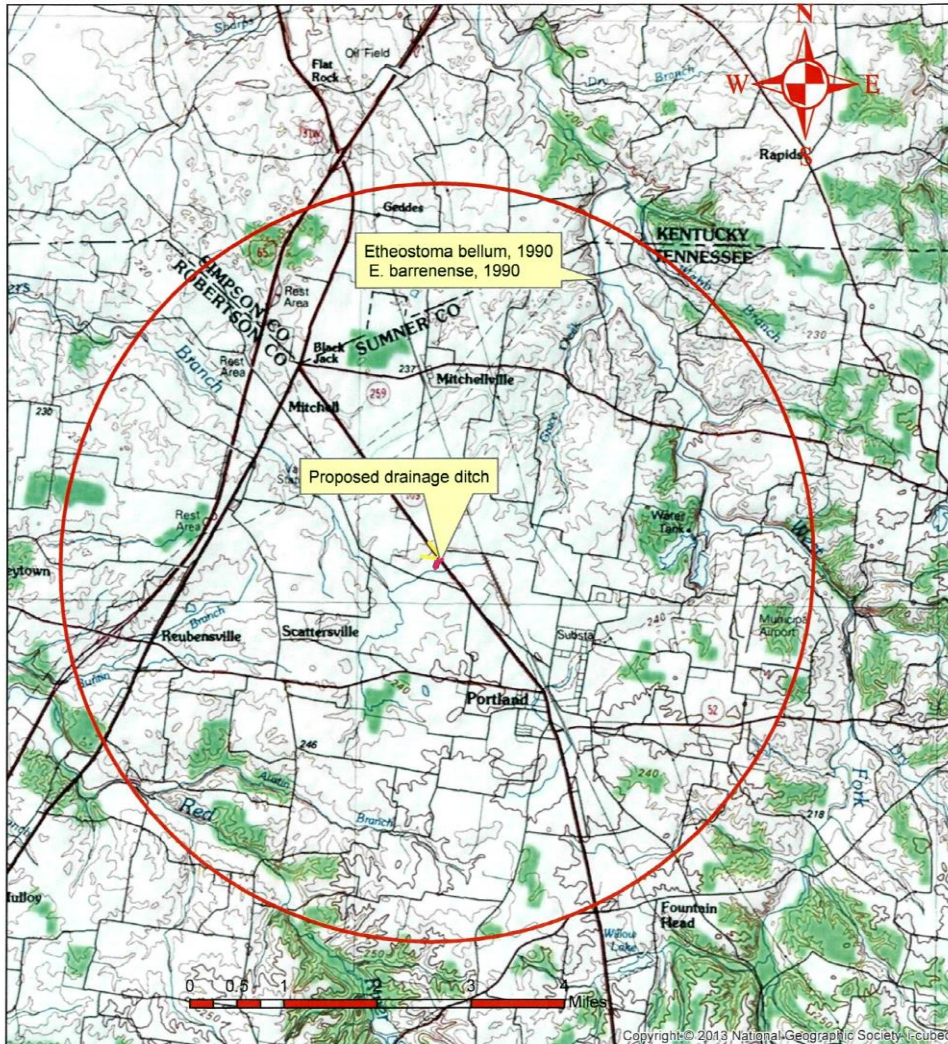
PUBLIC HEARING: Interested persons may request in writing that the department hold a public hearing on this application. The request must be filed within the comment period, indicate the interest of the person requesting it, the reasons that the hearing is warranted, and the water quality issues being raised. When there is sufficient public interest in water quality issues, the department will hold a public hearing. Send all public hearing request to the department's address listed below and to the attention of the permit coordinator.

APPEAL: A permit appeal may be filed, pursuant to T.C.A. §§ 69-3-105(i) and Rule 0400-40-05, by the permit applicant or by any aggrieved person who participated in the public comment period announced by this notice. This petition must be filed within TWENTY (20) DAYS after public notice of the issuance of the permit. The petition must specify what provisions are being appealed and the basis for the appeal. It should be addressed to the technical secretary of the Tennessee Board of Water Quality, Oil and Gas at the following address: Tisha Calabrese Benton, Director, Division of Water Resources, William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks Ave, 11th floor, Nashville, TN 37243. Any hearing would be in accordance with T.C.A. §§69-3-110 and 4-5-301 et seq.

FILE REVIEW: The permit application, supporting documentation including detailed plans and maps, and related comments are available at the department's address (listed below) for review and/or copying.

Tennessee Department of Environment & Conservation
Division of Water Resources, Natural Resources Unit
William R. Snodgrass Tennessee Tower
312 Rosa L. Parks Avenue, 11th Floor
Nashville, Tennessee 37243

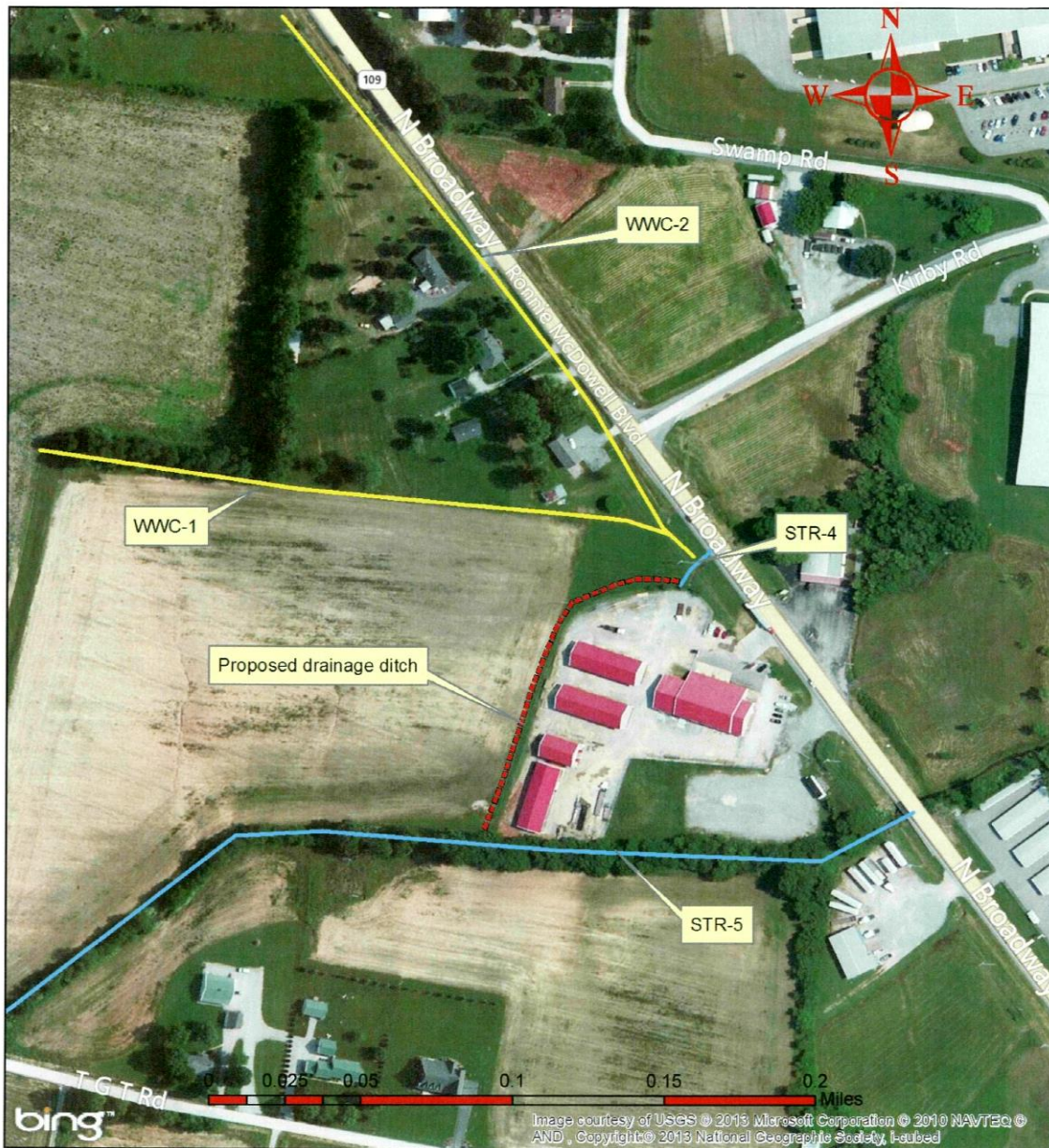
Location/Topographic Map



Sumner Co. SR-109 @ Kirby Rd. Drainage Project
PIN: 106922.01, P.E. Number: 83012-1209-54
Species Location Map-Four Mile Radius
August 15, 2013



Site Designs



Sumner Co. SR-109 @ Kirby Rd. Drainage Project
PIN: 106922.01
Project Location Map
August 13, 2013



Photos:



Photo 1: Area for proposed drainage ditch at approximate Station 197+25L, facing south.

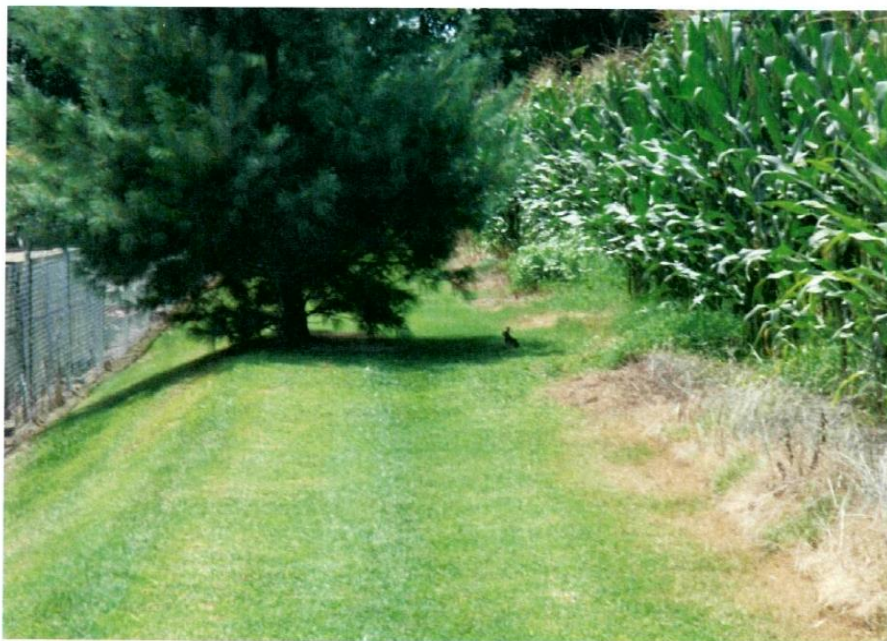


Photo 2: Close-up of area in Photo 1, showing the slope of the berm between 3 Boys Enterprises and the Dickens property.



Photo 5: STR-4 facing upstream towards culvert outlet under SR-109



Photo 6: STR-4 facing downstream towards 3 Boys Enterprises, LLC